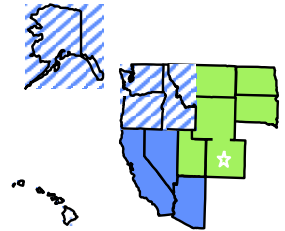




US Army Environmental Center
Western Regional Environmental Office
REGION 10 – JANUARY 2004
WESTERN REGION REVIEW



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 10 area: Alaska, Idaho, Oregon and Washington. We appreciate your feedback. Please contact the Western Regional Environmental Office, U.S. Custom House, 721 19th Street, Room 427, Denver, CO 80202-2500; phone (303) 844-0954, or fax (303) 844-0951.

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

FINAL RULE – NATIONAL EMISSION STANDARD FOR BENZENE WASTE OPERATIONS – On 4 December 2003 (68 FR 67931), EPA issued final amendments to the national emission standard for benzene waste operations proposed on 12 November 2002. EPA also amended the rule to correct a cross-reference citation. The effective date of the amendments was 4 December 2003. For further information, contact Robert Lucas, EPA at (919) 541-0884, or e-mail: lucas.bob@epa.gov.

FINAL RULE – NESHAP FOR MISCELLANEOUS COATING MANUFACTURING – On 11 December 2003 (68 FR 69163), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for miscellaneous coating manufacturing facilities. The final rule establishes emission limits and work practice requirements for new and existing miscellaneous coating manufacturing operations, including process vessels, storage tanks, wastewater, transfer operations, equipment leaks, and heat exchange systems, and implements section 112(d) of the Clean Air Act by requiring all major sources to meet hazardous air pollutant (HAP) emission standards reflecting application of the maximum achievable control technology (MACT). The HAPs emitted from miscellaneous coating manufacturing facilities include toluene, xylene, glycol ethers, methyl ethyl ketone, and methyl isobutyl ketone. The final rule will reduce HAP emissions by 4,900 tons per year for existing facilities that manufacture miscellaneous coatings. The effective date of the rule was 11 December 2003. For further information, contact Randy McDonald, EPA at (919) 541-5402, or e-mail: mcdonald.randy@epa.gov.

FINAL RULE – STANDARDS OF PERFORMANCE FOR BULK GASOLINE TERMINALS AND NATIONAL EMISSION STANDARDS FOR GASOLINE DISTRIBUTION FACILITIES – On 19 December 2003 (68 FR 70959), EPA promulgated amendments to the Standards of Performance for Bulk Gasoline Terminals (48 FR 37590) and the National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (59 FR 64318). The amendments provide for the use of alternative leak test procedures for railcars, a clarification on monitoring flares and thermal oxidation systems, alternative recordkeeping requirements for tank trucks and railcars, and the use of flare design specifications. The amendments do not change the level of control or compromise the environmental protection achieved by the previous standards, but provide clarification and alternatives that enhance the flexibility of the recordkeeping and testing requirements of the two final rules. The rules were effective 19 December 2003. For further information, contact Julie Tankersley, EPA at (202) 564-7002.

FINAL RULE – PREVENTION OF SIGNIFICANT DETERIORATION – On 24 December 2003, (68 FR 74483), EPA took final action to revise implementation plans concerning the Prevention of Significant Deterioration (PSD) program mandated by the Clean Air Act. These revisions include changes to incorporate newly promulgated paragraphs in the Federal PSD rule into the Federal Implementation Plan portion of a state plan where a state agency does not have an approved PSD State Implementation Plan in place. Specifically, the revisions define equipment replacement activities that are not subject to Major New Source Review requirements under the routine maintenance, repair and replacement exclusion. The final rule was effective on 26 December 2003. For further information, contact Pamela Long, EPA at (919) 541-0641, or email: long.pam@epa.gov.

NOTICE OF AVAILABILITY – EPA RESPONSES TO 8-HOUR OZONE AIR QUALITY DESIGNATION RECOMMENDATIONS – On 10 December 2003 (68 FR 68805), EPA announced that it had posted its responses to States' and Tribes' 8-hour ozone air quality designation recommendations on the web. EPA's responses are available for public inspection at <http://www.epa.gov/ozonedesignations>. State and Tribal recommendations are also available at the same website. For further information, contact Sharon Reinders, EPA at (919) 541-5284, or e-mail: reinders.sharon@epa.gov.

NOTICE OF AVAILABILITY – AIR QUALITY CRITERIA FOR PARTICULATE MATTER – On 30 December 2003 (68 FR 75240), EPA announced the availability for public review and comment of revised drafts of Chapters 7 and 8 of EPA's document "Air Quality Criteria for Particulate Matter," which incorporate revisions made in response to earlier external review of those chapters. Under sections 108 and 109 of the Clean Air Act, the purpose of this document is to provide an assessment of the latest scientific information on the effects of airborne particulate matter (PM) on the public health and welfare for use in EPA's current review of the National Ambient Air Quality Standards for PM. Comments are due by 31 January 2004. For further information, contact Dr. Robert Elias, EPA at (919) 541-4167, or link: <http://www.epa.gov/ncea/>.

WASTE INFORMATION:

PROPOSED RULE – COMPREHENSIVE PROCUREMENT GUIDELINE V FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS – On 10 December 2003 (68 FR 68813), EPA proposed an amendment to the 1 May 1995, Comprehensive Procurement Guideline (CPG) under the Resource Conservation and Recovery Act and the Executive Order "Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition." Specifically, EPA proposed to revise the current compost designation to include compost made from manure or biosolids, and designate fertilizers made from recovered organic materials. EPA also proposed to consolidate all compost designations under one item called "compost made from recovered organic materials." EPA is required to designate items that are or can be made with recovered materials and to recommend practices that procuring agencies can use to procure designated items. Once EPA designates an item, any procuring agency that uses appropriated federal funds to procure that item must purchase the item containing the highest percentage of recovered materials practicable. Comments are due by 9 February 2004. For further information, contact Sue Nogas, EPA at (703) 308-0199.

WATER INFORMATION:

FINAL RULE – EFFLUENT LIMITATIONS, PRETREATMENT STANDARDS, AND NEW SOURCE PERFORMANCE STANDARDS FOR THE CENTRALIZED WASTE TREATMENT POINT SOURCE CATEGORY – On 22 December 2003 (68 FR 71014), EPA amended certain provisions of a wastewater discharge regulation for the Centralized Waste Treatment (CWT) Point Source Category. EPA's action deleted the selenium limitations and standards from certain sections of Subpart A, the Metals Treatment and Recovery subcategory. In addition, it deleted the barium, molybdenum, antimony, and titanium limitations and standards from Subpart B, the Oils Treatment and Recovery subcategory, deleted the molybdenum, antimony, aniline, and 2,3-dichloroaniline limitations and standards from the Organics Treatment and Recovery subcategory, and revised all applicable related sections of Subpart D, the Multiple Wastestreams subcategory, to reflect the preceding revisions. Finally this action increased the maximum monthly average BOD₅ limitation for directly discharging facilities subject to a section of the Multiple Wastestreams subcategory. The amendments were effective 22 December 2003. For further information, contact Elwood Forsht, EPA at (202) 566-1025, or e-mail: forsht.elwood@epa.gov.

NOTICE OF AVAILABILITY - NATIONAL RECOMMENDED WATER QUALITY CRITERIA FOR PROTECTION OF HUMAN HEALTH – On 31 December 2003 (68 FR 75507), EPA announced the availability of updated national recommended water quality criteria for the protection of human health for the following fifteen pollutants: chlorobenzene; cyanide; 1,2-dichlorobenzene; 1,4-dichlorobenzene; 1,1-dichloroethylene; 1,3-dichloropropene; endrin; ethylbenzene; hexachlorocyclopentadiene; lindane; thallium; toluene; 1,2-transdichloroethylene; 1,2,4-trichlorobenzene; and vinyl chloride. The criteria are based on EPA's 2000 methodology for deriving human health water quality criteria and supercede prior

criteria for these chemicals. Although the criteria provide guidance for protecting human health, they do not impose legally binding requirements. For further information, contact Cindy Roberts, EPA at (202) 566-1124, or e-mail: roberts.cindy@epa.gov.

NOTICE OF AVAILABILITY – PRELIMINARY EFFLUENT GUIDELINES PROGRAM PLAN FOR 2004/5

On 31 December 2003 (68 FR 75515), EPA published and invited comment on its preliminary Effluent Guidelines Program Plan for 2004/2005. Under the Clean Water Act (CWA), EPA establishes technology-based national regulations, termed "effluent guidelines," to reduce pollutant discharges from industrial facilities to waters of the United States. Section 304(m) of the CWA requires EPA to publish an Effluent Guidelines Program Plan every two years. Comments are due by 17 February 2004. For further information, contact Carey Johnston, EPA at (202) 566-1014, or e-mail: johnston.carey@epa.gov.

NOTICE OF AVAILABILITY – STANDARDS FOR USE OR DISPOSAL OF SEWAGE SLUDGE – On 31 December 2003 (68 FR 75531), EPA published the results of its review of regulations under the CWA governing the use and disposal of sewage sludge. The CWA requires that EPA review the sewage sludge regulations for the purpose of identifying additional toxic pollutants and promulgating regulations for such pollutants consistent with the requirements. As part of this review, EPA commissioned the National Research Council (NRC) of the National Academy of Sciences to independently review the technical basis of the chemical and microbial regulations applicable to sewage sludge that is applied to land. In July 2002, the NRC published a report entitled "Biosolids Applied to Land: Advancing Standards and Practices". In response to the report, EPA has identified 15 pollutants for possible regulation. This list constitutes the final results of EPA's current CWA review of existing sewage sludge regulations. For further information, contact Rick Stevens, EPA at (202) 566-1135, or e-mail: stevens.rick@epa.gov.

NOTICE OF AVAILABILITY – APPLICABILITY OF SAFE WATER DRINKING ACT TO SUBMETERED PROPERTIES – On 23 December 2003 (68 FR 74233), EPA announced a revision of its policy regarding applicability of Safe Drinking Water Act (SDWA) requirements for submetered water systems. The SDWA national primary drinking water regulations apply to public water systems that have their own water source, treat, or "sell" water. In revising its policy on submetering, EPA limited relief from primary drinking water sampling and analysis to apartments buildings and similar property types. EPA, however, does not require that submetered properties be regulated but rather leaves ultimate authority for these determinations to authorized state agencies. A public water system (including submetered systems) maintains responsibility for providing public notification under 40 CFR 141.201(c) (or approved state equivalent) to consumers. In addition, the public water system must make "good faith" efforts to provide the tenants with the annual Consumer Confidence Reports under 40 CFR 141.155(b). For further information, contact Ronald Bergman, EPA at (202) 564-3823.

GENERAL INFORMATION:

NOTICE OF AVAILABILITY – UNIFIED AGENDA UPDATED – On 22 December 2003, the semiannual Unified Agenda of Federal Regulatory and Deregulatory Actions was updated. The Unified Agenda reports regulatory and deregulatory activities under development throughout the Federal Government. EPA's section of the agenda is available at <http://a257.g.akamaitech.net/7/257/2422/22dec20031200/edocket.access.gpo.gov/ua031222/pdf/ua031024.pdf>.

NOTICE OF AVAILABILITY – DISCUSSION PAPER: NEUROTOXICITY OF TETRACHLOROETHYLENE (PERCHLOROETHYLENE)

– On 30 December 2003 (68 FR 75241), EPA made available for public comment an external review draft paper entitled "Neurotoxicity of Tetrachloroethylene (Perchloroethylene): Discussion Paper" (EPA/600/P-03/005A). This document serves as background material about the potential adverse effects of perchloroethylene. The paper is available at <http://www.epa.gov/edocket> under Docket ID No. ORD-2003-0014. Comments are due by 1 March 2004. For further information, call (202) 564-3261.



GENERAL INFORMATION

FINAL RULE – JOINT COUNTERPART ENDANGERED SPECIES ACT CONSULTATION

REGULATIONS – On 8 December 2003 (68 FR 68254), the U.S. Fish and Wildlife Service (FWS) issued the final rule to streamline consultation under the Endangered Species Act to support projects undertaken as part of the National Fire Plan (NFP). The long-term strategy for the NFP is to correct problems associated with the disruption of natural fire cycles as a result of fire suppression policy or the presence of fire-prone non-native invasive species and to minimize risks to public safety and private property due to the increase in amount and complexity of the urban/wildland interface. The rule was effective 8 December 2003. For further information, contact Phil Williams, FWS at (301) 713-1401.

FINAL RULE – REVISIONS TO HAZARDOUS MATERIALS INCIDENT REPORTING REQUIREMENTS

On 3 December 2003 (68 FR 67745), DOT's Research and Special Programs Administration (RSPA) revised incident reporting requirements of the Hazardous Materials Regulations and the hazardous materials incident report form, DOT Form F 5800.1. Major changes adopted in this final rule include: 1) collecting more specific information on the incident reporting form; 2) expanding reporting exceptions; 3) expanding reporting requirements to persons other than carriers; 4) reporting undeclared shipments of hazardous materials; and 5) reporting non-release incidents involving cargo tanks. The final rule will be effective 1 July 2004. For further information, contact Glenn Foster, RSPA at (202) 366-8533.

NOTICE OF AVAILABILITY – DOD DRAFT SELECTION CRITERIA FOR CLOSING AND

REALIGNING MILITARY INSTALLATIONS – On 23 December 2003 (68 FR 74221), DoD issued draft criteria for selection of bases for closure by the 2005 Defense Base Closure and Realignment Commission. The draft criteria include: 1) the current and future mission capabilities and the impact on operational readiness of DoD's total force, including the impact on joint warfighting, training, and readiness; 2) the availability and condition of land, facilities and associated airspace at both existing and potential receiving locations; 3) the ability to accommodate contingency, mobilization, and future total force requirements at both existing and potential receiving locations to support operations and training; 4) the cost of operations and the manpower implications; 5) the economic impact on existing communities in the vicinity of military installations; and 6) **the environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.** For further information, call (703) 614-5356.

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UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS

CERCLA ORIENTATION AND REMEDIAL INVESTIGATION/FEASIBILITY STUDY

27-27 January 2004 – Richland, Washington

The Resource Training Institute (RTI) is offering this course for personnel that have little or no experience in the basic background and implementation of CERCLA. Participants are provided with an in-depth review of the Remedial Investigation/Feasibility Study (RI/FS) process as it applies to environmental restoration programs. Following an overview of the CERCLA Process, the course focuses on the RI/FS process and addresses site characterization, risk assessment, and remedy selection issues. Attention is also given to public involvement in the cleanup process. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

2004 CONFERENCE ON SCIENCE, POLICY AND ENVIRONMENT

29-30 January 2004 – Washington, DC

The National Council for Science and the Environment is presenting the 4th National Conference on Science, Policy and the Environment with the theme: "Water for a Sustainable and Secure Future." The conference will explore the role of science in achieving sustainable relationships among water, people, and the environment. For more information or to register, link:

<http://www.ncseonline.org/NCSEconference/2004conference/>.

ENVIRONMENTAL IMPACTS OF PRESERVATIVE TREATED WOOD

8-11 February 2004 – Orlando, Florida

The University of Florida and the National Science Foundation are sponsoring this conference to bring together experts in the field of preservative treated wood who will share research results and develop a research agenda for future studies. Conference topics include critical issues associated with preservative treated wood, and new technologies for managing discarded treated wood. For more information or to register, call (352) 392-1701, or link: <http://fices.org>.

McCOY RCRA SEMINAR

9-13 February 2004 – Phoenix, Arizona

21-25 June – Portland, Oregon

McCoy and Associates is offering this RCRA training with five sessions at each seminar: 1) RCRA Fundamentals; 2) Critical Generator Issues; 3) Advanced RCRA Topics I; 4) Advanced RCRA Topics II and Land Disposal Restrictions I; and 5) Land Disposal Restrictions II and RCRA Rules Under Development. The seminar is designed for hazardous waste generators, environmental managers, compliance specialists, environmental consultants, and environmental attorneys. For more information or to register, call (303) 526-2674, or link: <http://www.mccoyseminars.com>.

CLEANUP SITE CLOSURE: REGULATORY & ADMINISTRATIVE ACTIVITIES

17-18 February 2004 – Idaho Falls, Idaho

RTI is offering this course for personnel who are involved in the planning and implementation of closure and post-closure activities at hazardous and mixed waste management facilities or environmental restoration projects. The course will provide an overview of RCRA requirements for landfills, storage pads, and contaminated areas. It will also cover effective ways to plan for the integration of closure among units regulated under different programs. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

APPLIED CLEAN AIR ACT**17-19 February 2004 – Richland, Washington**

RTI is offering this course for environmental professionals who are responsible for implementation and monitoring of their facilities' compliance with the requirements of the Clean Air Act (CAA). The course provides detailed information on all facets of the CAA and the 1990 Amendments. It covers the fundamentals of air pollution such as abatement equipment, monitoring, and air dispersion models. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

HAZARDOUS WASTE MANAGEMENT AND MANIFEST INITIAL COURSE**23-27 February 2004 – Huntsville, Alabama**

The Army Corps of Engineers is offering this course to fulfill the initial training requirements of 49 CFR 172, Subpart H, as they relate to the management and transportation of hazardous waste and the use of a hazardous waste manifest. For more information or to register, call (256) 895-7448, or link: http://pdsc.usace.army.mil/CourseListDetails1.asp?Cntrl_Num=223.

HAZARDOUS WASTE MANAGEMENT AND MANIFEST REFRESHER COURSE**24-25 February 2004 – Huntsville, Alabama**

The Army Corps of Engineers is offering this course to fulfill the recurrent requirements of 49 CFR 172, Subpart H, as they relate to the management and transportation of hazardous waste and the use of a hazardous waste manifest. For more information or to register, call (256) 895-7448, or link: http://pdsc.usace.army.mil/CourseListDetails1.asp?Cntrl_Num=429.

DESIGN STRATEGIES FOR LOW-ENERGY, SUSTAINABLE, SECURE BUILDINGS**24-25 February 2004 – Tucson, Arizona**

The Department of Energy and the Federal Network for Sustainability are co-sponsoring this course, which is intended for designers, project managers, architects and engineers who work on federal agency projects. The course teaches the fundamentals of an integrated "whole building" approach to design that considers the structure and systems as a whole, and examines how they work best together to save energy and reduce environmental impact. For more information or to register, link: <http://fempcentral.com/workshops/registration.ws>.

INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOPS**24-26 February 2004 – Seattle, Washington****27- 9 April 2004 – Honolulu, Hawaii**

The Army Center for Health Promotion and Preventative Medicine is presenting these workshops to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication, Steps of the Risk Communication Process, Importance of Identifying, Understanding, and Collaborating with Key Stakeholders, Pitfalls to Effective Risk Communication, and Basic Tools for Engaging the Media. For more information or to register link: <http://chppm-www.apgea.army.mil/risk>.

HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE**24-26 February 2004 – Jacksonville, Florida****20-22 April 2004 – San Antonio, Texas****20-22 July 2004 – Annapolis, Maryland**

This course emphasizes legal compliance with the National Historic Preservation Act Section 106 process using actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes: the stewardship role; use of historic properties; and communications with related oversight agencies. For more information or to register, link: <https://www.cecos.navy.mil>.

NATURAL RESOURCES COMPLIANCE**24-27 February 2004 – San Antonio, Texas****22-25 June 2004 – Aberdeen, Maryland**

This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. It addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This is an Inter-service Environmental Education Review Board (ISEERB approved) course. For more information or to register, link: <https://www.cecos.navy.mil>.

2ND ANNUAL ARMY ENVIRONMENTAL TRAINING SYMPOSIUM**1- 5 March 2004 – Kansas City, Missouri**

The Army Engineer School is hosting this symposium to provide environmental training to installation (Active Army, National Guard, and Army Reserve) environmental personnel and installation stakeholders. Training topics include 1) satellite accumulation point operator; 2) hazardous materials handler; 3) HAZWOPER 8-hour refresher; 4) pollution prevention; and 5) spill prevention and response. For more information, call (573) 563-4124.

UXO/COUNTERMINE FORUM**9-13 March 2004 – St. Louis, Missouri**

This forum will address challenges in military sustainment through technical presentations, exhibits and networking events. It is intended to showcase cutting edge UXO and countermine technologies, ideas programs and partnerships for researchers, policy makers and program planners. For more information or to register, call (865) 379-7065, or e-mail: TheForum@ImpactStrategicEvents.com.

DSMOA NATIONAL WORKSHOP**15-18 March 2004 – Atlanta Georgia**

DoD is sponsoring this workshop for all DSMOA participants and hopes to have at least one program manager and one financial manager from each participating state in attendance. The workshop will include mini training sessions, large and small group presentations, panel discussions, and breakout sessions. Current issues from DoD and states' perspectives will be shared and discussed. For more information or to register, link: <http://www.ttclients.com/dsmoa2004>.

INTRODUCTION TO CULTURAL RESOURCE MANAGEMENT LAWS AND REGULATIONS**16-18 March 2004 – New Orleans, Louisiana****17-19 August 2004 – Bangor, Maine**

This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. The curriculum is designed around a series of inter-related case studies discussed during the course. The course is taught in conjunction with the Advisory Council on Historic Preservation and is approved by the Inter-service Environmental Education Review Board (ISEERB). For more information or to register, link: <https://www.cecos.navy.mil>.

30TH ENVIRONMENTAL AND ENERGY SYMPOSIUM**5-8 April 2004 – San Diego, California**

The National Defense Industrial Association is presenting this symposium to provide a national forum for the exchange of technical information, government policy, regulations, programs, and law; and new ideas on environmental and energy issues, performance tracking, and areas of concern. The theme of the symposium is: "DoD Transformation Leading Towards Results-Based Environmental and Energy Programs." This event is intended for industry leaders, practitioners, environmental and energy officials, operators, and other personnel within government agencies. For more information, contact Naomi Mundy at (703) 247-9476, Or link: <http://www.ndia.org>.

NATIONAL ENVIRONMENTAL ASSISTANCE SUMMIT**19-22 April 2004 – Baltimore, Maryland**

EPA has announced the merger of the National Pollution Prevention Roundtable Spring Conference and the National Compliance Assistance Providers Forum. This summit, titled "One Environment/One Conference," will cover advances and innovations in environmental issues and solutions, pollution prevention, and compliance assistance programs, methods, technologies and environmental policies. For more information, call (202) 299-9701, or link: <http://www.p2.org/summit2004/>.

ENVIRONMENTAL LAWS AND REGULATIONS**27-29 April 2004 – Richland, Washington**

RTI is offering this course for personnel new to the field of waste management environmental compliance or environmental restoration, as well as persons who need an update on recent changes in environmental laws and regulations. The course will address high level waste storage in tanks and treatment for disposal; low level waste disposal; mixed waste treatment, storage and disposal; environmental compliance associated with operational or restart issues; decommissioning activities; and materials transportation. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

ACCELERATING SITE CLOSEOUT**15-17 June 2004 – Dallas, Texas**

The Federal Remediation Technologies Roundtable is sponsoring this conference with the theme: "Improving Performance and Reducing Costs Through Optimization." The goals of the conference are to: 1) outline long-term remediation liabilities and optimization needs and opportunities; 2) disseminate existing and emerging optimization strategies, technologies, tools, and science; 3) communicate lessons learned and identify technical, institutional, contractual, and other enhancements and encumbrances to achieving positive optimization results; and 4) present remedial optimization within the context of site-wide and multi-site management programs. For more information or to register, link: <http://www.clu-in.org/siteopt/siteopt.htm>.

2004 COMMUNITY INVOLVEMENT CONFERENCE**15-18 June 2004 – Denver, Colorado**

EPA is sponsoring this 7th annual conference to share lessons learned and to establish and monitor its standards for community involvement. The conference will cover the entire scope of public participation, community involvement, partnership building, and outreach and education related to all aspects of environmental protection. For more information, link: <http://www.epancic.org/2004>.

9TH ANNUAL JOINT SERVICES ENVIRONMENTAL MANAGEMENT CONFERENCE**16-19 August 2004 – San Antonio, Texas**

The National Defense Industrial Association is presenting this conference and exhibition ((formerly the Joint Services Pollution Prevention and Hazardous Waste Management Conference and Exhibition). The theme of the 2004 conference is "Sustaining the Force: Optimizing Readiness Through the Prevention of Pollution." For more information, contact Naomi Mundy at (703) 247-9476, Or link: <http://www.ndia.org>.

ADVANCED RISK COMMUNICATION WORKSHOP**23-26 August 2004 – San Antonio, Texas**

The Army Center for Health Promotion and Preventative Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop builds on the "Introductory Health Risk Communication Workshop" listed above (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. There is no registration fee. For more information or to register, link: <http://chppm-www.apgea.army.mil/risk>.

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



ALASKA

WATER INFORMATION:

FINAL REGULATION – ADOPTION OF FEDERAL STANDARDS – The Alaska Department of Environmental Conservation (DEC) has adopted by reference federal regulations for the lead and copper rule. The rule was rewritten for clarity to (1) streamline requirements, (2) promote consistent implementation, and (3) help reduce the burden for water systems. The regulation was effective 12 January 2004. For more information, contact Karen Leis at (907) 269-3082.

Legislative Developments:

The 2004 legislative session began 12 January and will end 11 May. For current information on the legislative session, link <http://www.legis.state.ak.us/>.



IDAHO

AIR INFORMATION:

ADOPTED AMENDMENTS– UPDATE OF FEDERAL REGULATIONS – The Idaho Department of Environmental Quality (DEQ) has adopted amendments to update the Rules for Control of Air Pollution in Idaho. These Rules are updated annually in order to maintain conformance with EPA's regulations, as well as fulfilling the requirements of Idaho's delegation agreement with EPA under Section 112(l) of the Clean Air Act and 40 CFR Part 70. These adopted amendments updates citations to federal regulations incorporated by reference to include those revised as of 1 July 2003. This update includes the Maximum Achievable Control Technology promulgated as National Emissions Standards for Hazardous Air Pollutants. The amendments were adopted 24 October 2003 and must be approved by the legislature. If approved, the rule will be final and effective at the conclusion of the 2004 legislative session. For more information, contact Phyllis Heitman at (208) 373-0502, or link:

<http://www2.state.id.us/adm/adminrules/bulletin/03jul.pdf>.

WASTE INFORMATION:

ADOPTED REGULATION – FEDERAL HAZARDOUS WASTE REGULATIONS – The Idaho DEQ has adopted amendments to its Rules and Standards for Hazardous Waste. These rules and standards are updated annually to maintain consistency with EPA's regulations implementing the Resource Conservation and Recovery Act as directed by the Idaho Hazardous Waste Management Act. Idaho has historically adopted both required and optional federal regulation so that Idaho's hazardous waste rules are the same as federal requirements. The Board of Environmental Quality adopted the amendments on 13 November 2003. The amendments will be final upon conclusion of the 2004 legislative session if approved by the Legislature. For more information, contact John Brueck at (208) 373-0458, or link:

<http://www2.state.id.us/adm/adminrules/bulletin/03jul.pdf>.

WATER INFORMATION:

TEMPORARY AND PROPOSED REGULATION – WATER QUALITY STANDARDS – The Idaho DEQ has adopted a temporary rule and is proposing permanent amendments to meet the requirements of 40 CFR 131.10(b) by setting water quality standards that protect designated uses in downstream water in Oregon and to meet the schedule for development of TMDLs. Section 285 has been added to the water quality standards to provide for a site-specific standard for water column dissolved oxygen in the Snake River (Hells Canyon) along the Idaho/Oregon border. In addition, the description of water body unit SW-1 in Subsection 140.13 is being changed to correct an oversight as to the actual boundaries. The temporary rule was adopted by the Board of Environmental Quality and was effective 14 November 2003. The permanent rule was approved by the Board in November and will be final upon conclusion of the 2004 legislative session if approved by the Legislature. For more information, contact Donald Essig at (208) 373-0119.

Legislative Developments

The 2004 legislative session began 12 January and will end 4 April. For current information on the 2003 session, link <http://www2.state.id.us/legislat/>.



OREGON

Regulatory Developments and Other State Information

PROPOSED REGULATION – AMENDMENTS TO ADMINISTRATIVE PROCEDURES - The Oregon Department of Environmental Quality (DEQ) has proposed amendments to the penalty structure in its administrative procedures. These amendments include: (1) clarifying the differences between informal, pre-enforcement and formal enforcement procedures; (2) including more individual violation classifications which historically have been classified under the general, "default" classification; (3) adjusting violation classifications in all programs which may increase or decrease the civil penalty calculated for those violations; (4) modifying the penalty matrices so that small business and other smaller permitted sources, in most cases, fall into a lower penalty matrix; (5) modifying the magnitude determination process (e.g., pre-determined, selected and general); and (6) modifying the notice of noncompliance process to allow for a two-tiered notification (e.g., Warning Letters and Pre-Enforcement Notices). Comments are due by 30 January 2004. For more information, contact Rachel Sakata at (503) 229-5659.

AIR INFORMATION:

FINAL REGULATION – RISK-BASED AIR TOXICS MANAGEMENT – The Oregon DEQ has adopted air toxics rules to establish a risk-based strategy to address emissions. These rules address emissions not specifically covered by federal regulation. Changes included: (1) establishing a Scientific Advisory Panel to develop information and assist policy makers; (2) establishing a geographic-based program that would result in the development of specific local plans to address air toxics in areas that exceed health-based ambient benchmarks to be established by rule; (3) establishing a safety net program that would regulate industrial sources not subject to the base federal program or the geographic-based program; (4) providing the authority for the establishment of ambient benchmarks of concentrations of air toxics associated with a lifetime exposure cancer risk of one in a million or a hazard quotient of 1 for non-carcinogens; and (5) providing authority for DEQ to adopt standards applicable to a source category, contaminant or geographic area necessary to protect public health or welfare for air contaminants not otherwise regulated by the commission, or as necessary to address the cumulative impact of sources on air quality. The rules were effective 3 November 2003. For more information, contact Sarah Armitage at (503) 229-5186, or link: http://www.deq.state.or.us/news/publicnotices/uploaded/030415_3551_AT_rulemaking.htm.

FINAL REGULATION – VEHICLE EMISSIONS TESTING – The Oregon DEQ has adopted amendments to its vehicle emissions inspection requirements for the Portland and Medford metropolitan areas. The amendments: (1) implement an on-road clean screening program in which DEQ will identify clean running vehicles and exempt those vehicles from the traditional emissions testing; and (2) establish a program to allow self-service testing. The amendments were effective 9 October 2003. For more information, contact Jerry Coffey at (503) 731-3050, ext. 229.

WASTE INFORMATION:

FINAL REGULATION – ADOPTION OF FEDERAL HAZARDOUS WASTE RULES – The Oregon DEQ has adopted federal hazardous waste rules published since 2000. The rules include: (1) corrective action management units; (2) NESHAPs for hazardous waste combustors; (3) mixed wastes; (4) chlorinated aliphatics production waste; and (5) mixture and derived-from rules revisions. The rules were effective 24 October 2003. For more information, contact Dave Rozell at (503) 229-5918, or link: http://arcweb.sos.state.or.us/rules/0603_Bulletin/0603_rulemaking_bulletin.html.

FINAL REGULATION – UNDERGROUND STORAGE TANK DEFINITIONS – The Oregon DEQ has adopted permanent amendments to its underground storage tank regulations. The amendments amend existing definitions to include the phrase "beneath the surface of the ground"; there was an inconsistency between DEQ rules and a recent administrative hearing. This eliminates the need to refer to a separate definition of this phrase and this amendment clarifies the meaning of this phrase. The definition of an underground storage tank is also modified to be broader in scope than the EPA definition. The amendments were effective 14 November 2003. For more information, contact Rachel Sakata at (503) 229-5659.

FINAL GUIDANCE – RISK-BASED CONCENTRATIONS FOR TOTAL PETROLEUM

HYDROCARBONS – The Oregon DEQ has adopted guidance for risk-based decision-making for the remediation of petroleum-contaminated sites. The guidance: (1) includes broaden risk-based decision-making to cover all DEQ cleanup programs and not just leaking underground storage tanks; (2) includes all petroleum hydrocarbons and not just BTEX and PAHs; (3) incorporates a process for evaluating risk from and setting cleanup levels for petroleum hydrocarbon products; and (4) retains as many of the current practices and procedures as are practical. The guidance was effective 24 September 2003. For more information, contact Michael Anderson at (503) 229-6764, or link: <http://www.deq.state.or.us/wmc/tank/rbdc-tph.htm>.

PROPOSED REGULATION – UNDERGROUND STORAGE TANK VIOLATIONS – The Oregon DEQ has proposed amendments to its underground storage tank rules. The amendments will reduce penalty amounts for certain violations. Comments are due by 30 January 2004. For more information, contact Deborah Nesbit at (503) 229-5340.

Legislative Developments

The 2003 legislative session began 13 January. The Senate adjourned 26 August and the House adjourned 27 August. A summary of the significant environmental bill that were enacted and signed was included in the October Review. For more information on the legislative session, link <http://www.leg.state.or.us>. There will be no regular legislative session in 2004.



WASHINGTON

WASTE INFORMATION:

FINAL REGULATION – SOLID WASTE INCINERATORS - The Washington Department of Ecology (DOE) has adopted amendments to its solid waste incinerator facility regulations. The amendments: (1) make 40 C.F.R. 60, subpart Eb, "Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996" an alternative means of compliance; (2) remove redundant sections; (3) include editorial changes; and (4) remove "creosote treated wood" from the definition of "solid waste." The amendments will be effective 22 January 2004. For more information, contact Steve Cross at (360) 407-6875, or link: <http://slc.leg.wa.gov/wsr/2003/13/03-13-077.htm>.

WATER INFORMATION:

FINAL REGULATION – SHORELINE MASTER PROGRAM GUIDELINES – The Washington DOE has adopted new Shoreline Master Program Guidelines that provide: (1) updated standards for public and private construction; and (2) location of structures, uses and activities in shoreline areas, including dredging, drilling, dumping, filling, removal of minerals, removal/restoration of vegetation, bulkheading and related shoreline stabilization devices, driving of pilings, placing of obstructions or any project which interferes with the normal public use of the surface waters of the state. The new guidelines apply to water areas, associated wetlands and adjacent uplands that are subject to the Shoreline Management Act. The guidelines will be effective 17 January 2004. For more information, contact Peter Skowlund at (360) 407-6522, or link: <http://www.ecy.wa.gov/laws-rules/activity/wac17326.html>.

Legislative Developments

The 2004 legislative session began 12 January and will end 11 March. For current information on the legislative session, link <http://www.leg.wa.gov/wsladm>.

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